

# PART 45

## GOVERNMENT PROPERTY

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### 45.103 Responsibility and liability for Government property.

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#### *FAR as of FAC 90-25*

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(b) Generally, Government contracts do not hold contractors liable for loss of or damage to Government property when the property is provided under—

(1) Negotiated fixed-price contracts for which the contract price is not based upon (i) ~~adequate price competition~~, (ii) ~~established catalog or market prices of commercial items sold in substantial quantities to the general public~~, or (iii) ~~prices set by law or regulation~~;

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#### *FAR as revised*

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(b) Generally, Government contracts do not hold contractors liable for loss of or damage to Government property when the property is provided under—

(1) Negotiated fixed-price contracts for which the contract price is not based upon **an exception at 15.804-1**;

\* \* \* \* \* [FAC 90-32]

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### 45.106 Government property clauses.

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#### *FAR as of FAC 90-25*

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(b)(1) \* \* \* \* \*

(2) If the contract is (i) a negotiated fixed-price contract for which prices are not based on ~~adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or prices set by law or regulation~~, or (ii) a fixed-price service contract which is performed primarily on a Government installation, provided the contracting officer determines it to be in the best interest of the Government (see subpart 45.103(b)(4)), the contracting officer shall use the clause with its Alternate I.

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#### *FAR as revised*

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(b)(1) \* \* \* \* \*

(2) If the contract is—


(i) A negotiated fixed-price contract for which prices are not based on **an exception at 15.804-1**; or

(ii) A fixed-price service contract which is performed primarily on a Government installation, provided the contracting officer determines it to be in the best interest of the Government (see 45.103(b)(4)), the contracting officer shall use the clause with its Alternate I.

\* \* \* \* \* [FAC 90-32]

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 Contractors may electronically reproduce standard inventory schedule forms, as long as they make no change to the name, content, or sequence of the data elements. Check to ensure that the electronic reproduction includes all essential elements of data and is signed.

#### **45.606-5 Instructions for preparing and submitting schedules of contractor inventory.**

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*(b) Submission.*

(1) Contractors shall report contractor inventory promptly after determining it to be excess, unless a later date is authorized by the contract or the plant clearance officer.

(2) Unless contract provisions or agency regulations prescribe otherwise, 12 copies of inventory schedules listing serviceable or salvable items and 6 copies of inventory schedules listing scrap items shall be presented to the plant clearance officer at the cognizant contract administration office.

(3) The standard inventory schedule forms may be reproduced by contractors, provided no change is made ~~in size or format. Machine listings may be submitted if all essential elements of data are included and the appropriate signed standard form is submitted as a cover sheet.~~

(4) The appropriate continuation sheet shall be used when more ~~than one~~ page is needed.

(5) Partial schedules may be submitted when they cover substantial portions of a particular property classification of contractor inventory. The first page of each schedule submitted shall be identified as partial or final in the title block of the schedule.

(6) The contractor should consult with the plant clearance officer when in doubt as to item descriptions or other inventory schedule requirements.

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*(b) Submission.*

(1) Contractors shall report contractor inventory promptly after determining it to be excess, unless a later date is authorized by the contract or the plant clearance officer.

(2) Unless contract provisions or agency regulations prescribe otherwise, 12 copies of inventory schedules listing serviceable or salvable items and 6 copies of inventory schedules listing scrap items shall be presented to the plant clearance officer at the cognizant contract administration office.

(3) The standard inventory schedule forms may be **electronically** reproduced by contractors **pursuant to 53.105**, provided no change is made **to the name, content or sequence of the data elements**. All essential elements of data **must be included** and the form **must be signed**.

(4) The appropriate continuation sheet shall be used when more **space** is needed.

(5) Partial schedules may be submitted when they cover substantial portions of a particular property classification of contractor inventory. The first page of each schedule submitted shall be identified as partial or final in the title block of the schedule.

(6) The contractor should consult with the plant clearance officer when in doubt as to item descriptions or other inventory schedule requirements.

[FAC 90-29]